

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THOMAS EUGENE BEEBE, II,

Petitioner,

v.

ERIC ARMEL, et al,

Respondents.

Case No. 1:22-CV-130

MEMORANDUM ORDER

This petition for writ of habeas corpus was received by the Clerk of Court on April 18, 2022. The matter was assigned and referred to Chief United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

On February 18, 2025, Judge Lanzillo issued a Report and Recommendation recommending that the petition be denied and that no certificate of appealability be issued. Petitioner filed Objections to the Report and Recommendation. ECF No. 30.

“If a party objects timely to a magistrate judge's report and recommendation, the district court must ‘make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.’” *EEOC v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) *quoting* 28 U.S.C. § 636(b)(1). Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Local Rule 72(D)(2). A district court is not required to make any separate findings or conclusions when

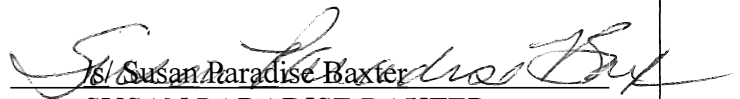
reviewing a recommendation de novo under 28 U.S.C. § 636. *See Hill v. Barnacle*, 655 Fed. App'x 142, 148 (3d Cir. 2016) ("District courts are not required to make any separate findings or conclusions when reviewing a Magistrate Judge's recommendation de novo under 28 U.S.C. § 636(b). We presume that the District Court engaged in the required de novo review absent some indication to the contrary. There is no such indication here because the District Court noted Hill's objections and stated that it reviewed the record independently.") (internal citation omitted).

After *de novo* review of the filings in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 13th day of June 2025;

IT IS ORDERED that the petition for writ of habeas corpus is denied and that no certificate of appealability shall be issued.

AND, IT IS FURTHER ORDERED that the report and recommendation of Chief Magistrate Judge Lanzillo, issued on February 18, 2025 [ECF No. 27] is adopted as the opinion of the court.


SUSAN PARADISE BAXTER
United States District Judge